

March 16, 2006
NEF#06-007

ATTN: Document Control Desk
Director
Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Louisiana Energy Services, L. P.
National Enrichment Facility
NRC Docket No. 70-3103

Subject: Louisiana Energy Services, L. P. Ownership and
Associated Revision to Applications for a Material License Under 10 CFR 70,
"Domestic licensing of special nuclear material," 10 CFR 40, "Domestic licensing of
source material," and 10 CFR 30, "Rules of general applicability to domestic
licensing of byproduct material"

- References:
1. Letter NEF#03-003 dated December 12, 2003, from E. J. Ferland (Louisiana Energy Services, L. P.) to Directors, Office of Nuclear Material Safety and Safeguards and the Division of Facilities and Security (NRC) regarding "Applications for a Material License Under 10 CFR 70, Domestic licensing of special nuclear material, 10 CFR 40, Domestic licensing of source material, and 10 CFR 30, Rules of general applicability to domestic licensing of byproduct material, and for a Facility Clearance Under 10 CFR 95, Facility security clearance and safeguarding of national security information and restricted data"
 2. Letter NEF#04-002 dated February 27, 2004, from R. M. Krich (Louisiana Energy Services, L. P.) to Director, Office of Nuclear Material Safety and Safeguards (NRC) regarding "Revision 1 to Applications for a Material License Under 10 CFR 70, Domestic licensing of special nuclear material, 10 CFR 40, Domestic licensing of source material, and 10 CFR 30, Rules of general applicability to domestic licensing of byproduct material"
 3. Letter NEF#04-029 dated July 30, 2004, from R. M. Krich (Louisiana Energy Services, L. P.) to Director, Office of Nuclear Material Safety and Safeguards (NRC) regarding "Revision to Applications for a Material License Under 10 CFR 70, Domestic licensing of special nuclear material, 10 CFR 40, Domestic licensing of source material, and 10 CFR 30, Rules of general applicability to domestic licensing of byproduct material"

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4. Letter NEF#04-037 dated September 30, 2004, from R. M. Krich (Louisiana Energy Services, L. P.) to Director, Office of Nuclear Material Safety and Safeguards (NRC) regarding "Revision to Applications for a Material License Under 10 CFR 70, Domestic licensing of special nuclear material, 10 CFR 40, Domestic licensing of source material, and 10 CFR 30, Rules of general applicability to domestic licensing of byproduct material"
5. Letter NEF#05-021 dated April 22, 2005, from R. M. Krich (Louisiana Energy Services, L. P.) to Director, Office of Nuclear Material Safety and Safeguards (NRC) regarding "Revision to Applications for a Material License Under 10 CFR 70, Domestic licensing of special nuclear material, 10 CFR 40, Domestic licensing of source material, and 10 CFR 30, Rules of general applicability to domestic licensing of byproduct material"
6. Letter NEF#05-022 dated April 29, 2005, from R. M. Krich (Louisiana Energy Services, L. P.) to Director, Office of Nuclear Material Safety and Safeguards (NRC) regarding "Revision to Applications for a Material License Under 10 CFR 70, Domestic licensing of special nuclear material, 10 CFR 40, Domestic licensing of source material, and 10 CFR 30, Rules of general applicability to domestic licensing of byproduct material"
7. Letter NEF#05-025 dated May 25, 2005, from R. M. Krich (Louisiana Energy Services, L. P.) to Director, Office of Nuclear Material Safety and Safeguards (NRC) regarding "Revision to Applications for a Material License Under 10 CFR 70, Domestic licensing of special nuclear material, 10 CFR 40, Domestic licensing of source material, and 10 CFR 30, Rules of general applicability to domestic licensing of byproduct material"
8. Letter NEF#05-029 dated June 10, 2005, from R. M. Krich (Louisiana Energy Services, L. P.) to Director, Office of Nuclear Material Safety and Safeguards (NRC) regarding "Revision to Applications for a Material License Under 10 CFR 70, Domestic licensing of special nuclear material, 10 CFR 40, Domestic licensing of source material, and 10 CFR 30, Rules of general applicability to domestic licensing of byproduct material"
9. Letter NEF#06-003 dated February 16, 2006, R. M. Krich (Louisiana Energy Services, L. P.) to Director, Office of Nuclear Material Safety and Safeguards (NRC) regarding "Revised MONK 8A Validation and Verification and Revision to Applications for a Material License Under 10 CFR 70, Domestic licensing of special nuclear material, 10 CFR 40, Domestic licensing of source material, and 10 CFR 30, Rules of general applicability to domestic licensing of byproduct material"

10. Letter NEF#06-004 dated February 28, 2006, R. M. Krich (Louisiana Energy Services, L. P.) to Director, Office of Nuclear Material Safety and Safeguards (NRC) regarding "MONK 8A Validation and Verification Report, Revision 3, and Clarifying Revision to Applications for a Material License Under 10 CFR 70, Domestic licensing of special nuclear material, 10 CFR 40, Domestic licensing of source material, and 10 CFR 30, Rules of general applicability to domestic licensing of byproduct material"

By letter dated December 12, 2003 (Reference 1), E. J. Ferland of Louisiana Energy Services (LES), L. P., submitted to the NRC applications for the licenses necessary to authorize construction and operation of a gas centrifuge uranium enrichment facility. Revision 1 to these applications was submitted to the NRC by letter dated February 27, 2004 (Reference 2). Subsequent revisions (i.e., revision 2, revision 3, revision 4, revision 5, revision 6, revision 7, revision 8, and revision 9) to these applications were submitted to the NRC by letters dated July 30, 2004 (Reference 3), September 30, 2004 (Reference 4), April 22, 2005 (Reference 5), April 29, 2005 (Reference 6), May 25, 2005 (Reference 7), June 10, 2005 (Reference 8), February 16, 2006 (Reference 9), and February 28, 2006 (Reference 10) respectively.

On March 3, 2006, Urenco Investments, Inc. purchased the Westinghouse Enrichment Company, LLC interest in LES. As a result of this purchase, revisions to the License Application are required. The revisions change the License Application description of the LES General and Limited Partners to reflect the removal of Westinghouse Enrichment Company, LLC as a partner and also make corresponding changes to the percentage of LES now owned by Urenco. The revisions also make commensurate changes to the Foreign Ownership, Control, or Influence information provided in Appendix 1 of the Standard Practice Procedures Plan for the Protection of Classified Matter. In addition, references to Cenescos Company, LLC are removed from the descriptions of the Limited Partners to be consistent with the final LES Partnership Agreement.

Enclosure 1 provides the updated pages for Revision 10 of the Safety Analysis Report. Enclosure 2 provides the updated pages for Revision 6 of the Environmental Report. Enclosure 3 provides the updated pages for Revision 3 to the Standard Practice Procedures Plan for the Protection of Classified Matter. Revision 3 to the Standard Practice Procedures Plan for the Protection of Classified Matter is considered proprietary in accordance with 10 CFR 2.390, "Public inspections, exemptions, requests for withholding," paragraph (d)(1). Accordingly, we request that Revision 3 to the Standard Practice Procedures Plan for the Protection of Classified Matter (i.e., Enclosure 3) be withheld from public disclosure.

No changes are made to the Integrated Safety Analysis (ISA) Summary, the Emergency Plan, the Physical Security Plan, the Safeguards Contingency Plan, the Guard Force Training and Qualification Plan, or the Fundamental Nuclear Material Control Plan.

The License Application and ISA Summary, updated through Revision 10 of the SAR, Revision 6 of the Environmental Report, and Revision 3 of the Standard Practice Procedures Plan for the Protection of Classified Matter, continue to meet the applicable requirements of 10 CFR 70.22, "Contents of applications," 10 CFR 40.31, "Application for specific licenses," and 10 CFR 30.32, "Application for specific licenses," as described in the Reference 1 letter.

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If you have any questions, please contact me at 630-657-2813.

Respectfully,

A handwritten signature in black ink, appearing to read 'R. M. Krich', is written over the typed name.

R. M. Krich
Vice President – Licensing, Safety, and Nuclear Engineering

Enclosures:

1. Updated Safety Analysis Report pages
2. Updated Environmental Report pages
3. Updated Standard Practice Procedures Plan for the Protection of Classified Matter pages (Proprietary Information)

cc: T. C. Johnson, NRC Project Manager
J. R. Park, NRC Environmental Project Manager (w/o Enclosure 3)

ENCLOSURE 1

Updated Safety Analysis Report Pages

Revision 10, March 2006
Including Page Removal and Insertion Instructions

**NATIONAL ENRICHMENT FACILITY
SAFETY ANALYSIS REPORT, REVISION 10
PAGE REMOVAL AND INSERTION INSTRUCTIONS**

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1.2 INSTITUTIONAL INFORMATION

This section addresses the details of the applicant's corporate identity and location, applicant's ownership organization and financial information, type, quarterly, and form of licensed material to be used at the facility, and the type(s) of license(s) being applied for.

1.2.1 Corporate Identity

1.2.1.1 Applicant

The Applicant's name, address, and principal office are as follows:

Louisiana Energy Services, L.P.
100 Sun Avenue NE, Suite 204
Albuquerque, NM 87109

The Applicant also maintains an office in Washington, DC during the licensing period at the following location:

2600 Virginia Avenue NW, Suite 610
Washington, D.C. 20037

1.2.1.2 Organization and Management of Applicant

Louisiana Energy Services (LES), L.P. is a Delaware limited partnership. It has been formed solely to provide uranium enrichment services for commercial nuclear power plants. LES has one, 100% owned subsidiary, operating as a limited liability company, formed for the purpose of purchasing Industrial Revenue Bonds and no divisions. The general partner is as follows:

Urenco Investments, Inc. (a Delaware corporation and wholly-owned subsidiary of Urenco Limited, a corporation formed under the laws of the United Kingdom ("Urenco") and owned in equal shares by BNFL Enrichment Limited ("BNFL-EL"), Ultra-Centrifuge Nederland NV ("UCN"), and Uranit GmbH ("Uranit") companies formed under English, Dutch and German law, respectively; BNFL-EL is wholly-owned by British Nuclear Fuels plc, which is wholly-owned by the Government of the United Kingdom; UCN is 99% owned by the Government of the Netherlands, with the remaining 1% owned collectively by the Royal Dutch Shell Group, DSM, Koninklijke Philips Electronics N.V. and Stork N.V.; Uranit is owned by Eon Kernkraft GmbH (50%) and RWE Power AG (50%), which are corporations formed under laws of the Federal Republic of Germany).

The name and address of the responsible official for the general partner is as follows:

Urenco Investments, Inc.
Charles W. Pryor, President and CEO
2600 Virginia Avenue NW, Suite 610
Washington, DC 20037

Dr. Pryor is a citizen of the United States of America.

The limited partners are as follows:

- A. Urenco Deelnemingen B.V. (a Netherlands corporation and wholly-owned subsidiary of Urenco Nederlands B.V. (UNL);
- B. Urenco Investments, Inc. (a Delaware corporation and wholly-owned subsidiary of Urenco Limited);
- C. Entergy Louisiana, Inc. (a Louisiana corporation and wholly-owned subsidiary of Entergy Corporation, a publicly-held Delaware corporation and a public utility holding company);
- D. Claiborne Energy Services, Inc. (a Louisiana corporation and wholly-owned subsidiary of Duke Energy Corporation, a publicly-held North Carolina corporation);
- E. Penesco Company, LLC (a Delaware limited liability company and wholly-owned subsidiary of Exelon Generation Company, LLC, a Pennsylvania limited liability company).

Urenco owns 90% of LES. The remaining 10% is owned by the companies representing the three electric utilities, i.e., Entergy Corporation, Duke Energy Corporation, and Exelon Generation Company, LLC.

The President of LES is E. James Ferland, a citizen of the United States of America. LES' principal location for business is Albuquerque, New Mexico. The facility will be located in Lea County near Eunice, New Mexico. No other companies will be present or operating on the NEF site other than services specifically contracted by LES.

Foreign Ownership, Control and Influence (FOCI) of LES is addressed in the NEF Standard Practice Procedures for the Protection of Classified Matter, Appendix 1 – FOCI Package. The NRC in their letter dated, March 24, 2003, has stated "...that while the mere presence of foreign ownership would not preclude grant of the application, any foreign relationship must be examined to determine whether it is inimical to the common defense and security [of the United States]". (NRC, 2003) The FOCI Package mentioned above provides sufficient information for this examination to be conducted.

ENCLOSURE 2

Updated Environmental Report Pages

Revision 6, March 2006
Including Page Removal and Insertion Instructions

**NATIONAL ENRICHMENT FACILITY
ENVIRONMENTAL REPORT, REVISION 6
PAGE REMOVAL AND INSERTION INSTRUCTIONS**

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1.0 INTRODUCTION OF THE ENVIRONMENTAL REPORT

This Environmental Report (ER) constitutes one portion of an application submitted by Louisiana Energy Services (LES) to the Nuclear Regulatory Commission (NRC) for a license to construct and operate a gas centrifuge uranium enrichment facility. The proposed facility, the National Enrichment Facility (NEF) will be located near Eunice, New Mexico, in Lea County. The ER for this proposed facility serves two primary purposes. First, it provides information that is specifically required by the NRC to assist it in meeting its obligations under the National Environmental Policy Act (NEPA) of 1969 (Pub. Law 91-190, 83 Stat. 852) (USC, 2003a) and the agency's NEPA-implementing regulations. Second, it demonstrates that the environmental protection measures proposed by LES are adequate to protect both the environment and the health and safety of the public.

LES has prepared this ER to meet the requirements specified in 10 CFR 51, Subpart A, particularly those requirements set forth in 10 CFR 51.45(b)-(e) (CFR, 2003a). The organization of this ER is generally consistent with the format for environmental reports recommended in NUREG-1748, Environmental Review Guidance for Licensing Actions Associated with NMSS Programs, Final Report August 2003 (NRC, 2003a).

This ER evaluates the environmental impacts of the LES proposed facility. Accordingly, this document discusses the proposed action, the need for and purposes of the proposed action, and applicable regulatory requirements, permits, and required consultations (ER Chapter 1, Introduction of the Environmental Report); considers reasonable alternatives to the proposed action (Chapter 2, Alternatives); describes the proposed NEF and the environment potentially affected by the proposed action (Chapter 3, Description of the Affected Environment); presents and compares the potential impacts resulting from the proposed action and its alternatives (Chapter 4, Environmental Impacts); identifies mitigation measures that could eliminate or lessen the potential environmental impacts of the proposed action (Chapter 5, Mitigation Measures); describes environmental measurements and monitoring programs (Chapter 6, Environmental Measurements and Monitoring Programs); provides a cost benefit analysis (Chapter 7, Cost Benefit Analysis); and summarizes potential environmental consequences (Chapter 8, Summary of Environmental Consequences). A list of references and preparers is also provided in Chapter 9, References, and Chapter 10 List of Preparers, respectively.

The effective date of this ER is December 2003.

The LES Partnership

Louisiana Energy Services (LES), L.P. is a Delaware limited partnership. It has been formed solely to provide uranium enrichment services for commercial nuclear power plants. LES has one, 100% owned subsidiary, operating as a limited liability company, formed for the purpose of purchasing Industrial Revenue Bonds and no divisions. The general partner is as follows:

Urenco Investments, Inc. (a Delaware corporation and wholly-owned subsidiary of Urenco Limited, a corporation formed under the laws of the United Kingdom ("Urenco") and owned in equal shares by BNFL Enrichment Limited ("BNFL-EL"), Ultra-Centrifuge Nederland NV ("UCN"), and Uranit GmbH ("Uranit") companies formed under English, Dutch and German law, respectively; BNFL-EL is wholly-owned by British Nuclear Fuels plc, which is wholly-owned by the Government of the United Kingdom; UCN is 99% owned by the Government of the Netherlands, with the remaining 1% owned collectively by the Royal Dutch Shell Group, DSM,

Koninklijke Philips Electronics N.V. and Stork N.V.; Uranit is owned by Eon Kernkraft GmbH (50%) and RWE Power AG (50%), which are corporations formed under laws of the Federal Republic of Germany).

The name and address of the responsible official for the general partner is as follows:

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- D. Claiborne Energy Services, Inc. (a Louisiana corporation and wholly-owned subsidiary of Duke Energy Corporation, a publicly-held North Carolina corporation);
- E. Penesco Company, LLC (a Delaware limited liability company and wholly-owned subsidiary of Exelon Generation Company, LLC, a Pennsylvania limited liability company).

Urenco owns 90% of LES. The remaining 10% is owned by the companies representing the three electric utilities, i.e., Entergy Corporation, Duke Energy Corporation, and Exelon Generation Company, LLC.

The President of LES is E. James Ferland, a citizen of the United States of America. LES' principal location for business is Albuquerque, NM. The facility will be located in Lea County

(0.5 mi) east of the site. Several disconnected power poles are situated in front of Section 33, parallel to New Mexico Highway 234. Land further east, in Texas, is occupied by Waste Control Specialists (WCS) LLC, a licensed Resource Conservation Recovery Act (RCRA) disposal facility. A large mound of soil exists northwest of WCS. Reportedly, the mound consists of stockpiled soil excavated by WCS. High-voltage utility lines run in a north-south direction near the property line of WCS, parallel to the New Mexico/Texas state line. To the south, across New Mexico Highway 234, is the Lea County Landfill. DD Landfarm, a petroleum contaminated soil treatment facility is adjacent to the west. Land further north, south and west has mostly been developed by the oil and gas industry. Land east of WCS is occupied by the Letter B Ranch.

Baker Spring, which contains surface water seasonally, is situated a little over 1.6 km (1 mi) northeast of the site. A historical scenic oil country marker with a few picnic tables is situated about 3.2 km (2 mi) to the west along New Mexico Highway 234. New Mexico Highway 234 intersects New Mexico Highway 18 about 4 km (2.5 mi) to the west. The nearest residences are located along the west side of New Mexico Highway 18, just south of its intersection with New Mexico Highway 234. The city of Eunice, New Mexico is further west along New Mexico Highway 234 about 8 km (5 mi) from the site. Monument Draw, an area drainage way, is situated a short distance north and east of Eunice. Railroad tracks (Texas-New Mexico Railroad) are located on the east end of town and run north-south, parallel to New Mexico Highway 18. The Eunice Airport is situated about 16 km (10 mi) west of the city center. The city of Hobbs, New Mexico (population 28,657) is situated along New Mexico Highway 18 about 32 km (20 mi) to the north and the city of Jal, New Mexico is along New Mexico Highway 18 about 37 km (23 mi) to the south. To the east, New Mexico Highway 234 becomes Texas Highway 176 at the New Mexico/Texas state line. The nearest Texas town, Frankel City, is about 24 km (15 mi) to the east, just north of Texas Highway 176. Andrews, Texas (population 10,182), is further east along Texas Highway 176, about 51 km (32 mi) from the site. The nearest, largest population center is Midland-Odessa, Texas (population >100,000) which is approximately 103 km (64 mi) to the southeast.

Figure 2.1-2, Site Area and Facility Layout Map 1.6-Kilometer (1-Mile) Radius, Figure 2.1-3, Existing Conditions Site Aerial Photograph and Figure 2.1-4, NEF Buildings show the site property boundary and the general layout of the buildings on the NEF site.

2.1.2.2 Applicant for the Proposed Action

Louisiana Energy Services (LES), L.P. is a Delaware limited partnership. It has been formed solely to provide uranium enrichment services for commercial nuclear power plants. LES has one, 100% owned subsidiary, operating as a limited liability company, formed for the purpose of purchasing Industrial Revenue Bonds and no divisions. The general partner is as follows:

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Urenco owns 90% of LES. The remaining 10% is owned by the companies representing the three electric utilities, i.e., Entergy Corporation, Duke Energy Corporation, and Exelon Generation Company, LLC.